

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

Claims 1-15 were rejected under 35 U.S.C. 102(b) as being anticipated by Puvvada et al. (US 5,952,286).

The claims have been amended to distinguish more clearly over Puvvada. Specifically, claim 1 has been amended to make clearer that the inventive compositions are laundry compositions, incorporating a laundry detergent ingredient selected from Markush group of laundry ingredients. Support for this amendment may be found at page 22 and in the examples of the specification.

Applicants' amended claim 1 distinguishes more clearly over Puvvada. Puvvada is directed to liquid cleaning compositions which are personal wash compositions. This is clear from Puvvada's statement in the Field of Invention referring to "liquid cleansing compositions of the type which are typically used as skin cleansing or shower gel compositions." By contrast, applicants' invention is directed to laundry compositions. Puvvada does not appear to teach or suggest any laundry compositions and/or any laundry ingredients presently recited by the amended claim 1. Consequently, it is respectfully requested that the rejection over Puvvada be reconsidered and withdrawn.

Claims 1-15 were rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over WO 99/06519 (WO '519). Claims 1-15 were rejected under 35 U.S.C. §102(a) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over GB 2355015 (GB '015).

Applicants respectfully traverse all the rejections.

Applicants submit herewith Rule 132 Declaration from Dr. Yun-Peng Zhu, who carried out the calculation of free fatty acid content in the examples of WO '519 and GB '015. It should be noted at the outset that the examples in WO '519 and GB '015 are

identical. It can be seen from the results in Table 1 at page 3 of the Declaration that the examples do not appear to contain any non-neutralized fatty acid.

Indeed, neither document actually teaches the presence of free i.e. (non-neutralized) fatty acid. The fatty acid teaching is found at page 12, lines 349-53 of WO '519, wherein it is taught that "the anionic surfactant component comprises fatty acid." It is clear from this teaching that what is actually present in WO '519 is neutralized fatty acids and the term "fatty acid" is just used as a shorthand. Applicants enclose for the Examiner's interest an excerpt from Handbook of Detergents which explains that anionic surfactant must bear a negative charge, and furthermore it teaches at page 9 that free fatty acids are not used as surfactants due to the lower solubility in water. Thus, if it is to be used as a surfactant, the fatty acid must be neutralized in order to gain the negative charge and be soluble in water. WO '519 teaches fatty acids as surfactants and thus, by definition, teaches neutralized form. GB '015 does not appear to mention fatty acids at all, other than by the same "fatty acid" shorthand in the examples as used in WO '519. GB '015 actually teaches soaps, i.e. neutralized fatty acids (see page 16, first full paragraph, third line from the bottom of the paragraph.) Thus, both WO '519 and GB '015 teach merely neutralized fatty acids. This is indeed supported by the examples of WO '519 and GB '015 wherein the calculated results show that no free fatty acids are present.

As taught by applicants at page 2, fourth full paragraph:

"Although fatty acids have been mentioned, they are mentioned as surfactants (i.e. neutralized to soaps), or, in any event, used in fully neutralized form and exemplified in fully neutralized compositions. Thus, although prior disclosures may mention "fatty acids," it is specifically non-neutralized fatty acids and their amount vis-à-vis the total surfactant that are employed in the present invention, in order to obtain gels with the desired properties, that can also suspend relatively large particles."

Furthermore, Dr. Zhu describes in paragraph 6 of his declaration comparative examples A and B and concludes that the presence of non-neutralized fatty acid is critical to the formation of the gel.

Applicants' Comparative Examples A and B in the specification (page 28) demonstrate the criticality of the presence of non-neutralized fatty acid in the specific ratio vis-avis the surfactant. The weight % ratio of total non-neutralized fatty acid to total surfactant was lower than Gelling Index G in Example A, therefore, it was not a stable gel. In Example B the weight % ratio of total non-neutralized fatty acid to total surfactant was more than 1-- Example B was phase separated in 24 hours.

In light of the absence of any teaching or suggestion of free, non-neutralized, fatty acid in either WO '519 or GB '015, it is respectfully requested that the rejections be reconsidered and withdrawn.

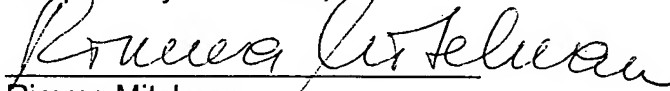
With respect to the double-patenting rejection, in light of the availability of Terminal Disclaimer practice, applicants agree to the filing of the Terminal Disclaimer upon an indication of the allowable subject matter.

In light of the above amendments and remarks, it is respectfully requested that the application be allowed to issue.

Applicants respectfully request the Examiner's acknowledgement of documents submitted with a Supplemental Information Disclosure Statement.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Respectfully submitted,



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